

United States Middle District of North Carolina



Michael Gray Swain
Petitioner

vs.

The United States
Probation Of The
Middle District Of
North Carolina

Motion For Revocation
Hearing I An Expeditious
Manner

Fed. R. Crim. P 48. Fed. R
Crim. P 321

(A) r 2.8, 32.1 (6)(2).

Now comes the Petitioner before the court to respectfully request that The Honorable Chief Judge or Magistrate Judge of the U.S. District Court of the Middle District Of North Carolina to proceed with the course of action(s) in an expeditious and reasonable time frame in full accordance with- the Federal Rules Of Criminal Procedure(s) 32.1(A) r 2.32.1 (6)(2) 48

Statement Of Fact Of The Case

The Petitioner was released by the U.S. Bureau Of Prisons in September 26, 2017 and placed on probation for a term of (3) years.

Argument

Fact: The U.S. Probation Of The Middle District of North Carolina assigned U.S. Probation Officer Matthew Ross to Petitioner, whom possessed original jurisdiction over Petitioner, thus the said probation violation should have been addressed and taken care of first before the Petitioner was placed in state prison.

Fact: Due to a detainer being placed upon the Petitioner, it is a direct hindrance to the rehabilitation of the Petitioner, due to the denial of custody promotion to minimum custody and work release, home leaves, community leaves, and study release etc., as well as other outside activities that promote positive rehabilitation.

Conclusion

Wherefore, the Petitioner respectfully requests that the violation be addressed within a reasonable time frame, and that the detainer be removed so that the Petitioner may advance to minimum custody. Also that the court credit any and all time of confinement towards the Petitioners probation violation and or run the violation concurrent with the state sentence the Petitioner

is currently serving.

I, Michael Gray Swain, declare under the penalty of perjury that the foregoing is true and accurate to the best of my knowledge.

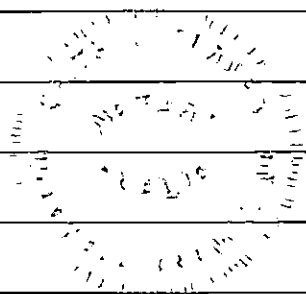
Executed this 8th day of December 2021

Michael Gray Swain
Michael G. Swain

Notary; Subscribed and sworn to before me
in my presence this 8 day of December 2021.
A Notary Public in and for the county
of state of Avery County, NC.

Kell J. Turner

My Commission expires 3/8/2025



Certificate Of Service

This is to certify that the foregoing "Motion For Revocation Hearing I An Expeditious Manner" was dully served upon the U.S. District Court Of The Middle District Of North Carolina by U.S. mail to the Clerks P.O. Box.

Executed this 8th day of December 2021.

Michael Gray Swain
Michael G. Swain

Subscribed and sworn to before me in my presence this 8th day of December 2021. A Notary Public in and for the county of state of Avery County, N.C.

Kent D. Turner
My Commission Expires 3/8/2025

